

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

U.S. DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
ALBANY, GA 31706
JUL 24 PM 1:43
CLERK

TIMOTHY MCGILL,
Petitioner,

vs.

1:04-CV-134(WLS)

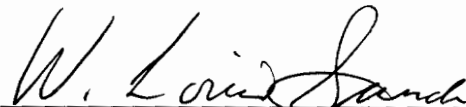
FREDERICK HEAD, Warden,
Respondent.

ORDER

Before the Court is a Recommendation from United States Magistrate Judge Richard L. Hodge (Doc. #12), filed April 27, 2005. It is recommended that Respondent's Motion to Dismiss be granted. No objection has been filed.

Upon full consideration, the Court finds that said Recommendation should be, and hereby is, ACCEPTED, ADOPTED and made the order of this Court for reason of the findings made and reasons set out therein. Accordingly, Respondent Frederick Head's Motion to Dismiss is GRANTED and the captioned action is DISMISSED as untimely.

SO ORDERED, this 23rd day of May, 2005.



W. Louis Sands, Chief Judge
United States District Court